

16523 U.S. PTO
30/60/60

Docket No. FRAC-US-C1

Express Mail No. _____

CUSTOMER NO. 36038

22151 U.S. PTO
10/658070
09/09/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
UTILITY APPLICATION AND FEE TRANSMITTAL §(1.53(b))

Commissioner for Patents
Mail Stop Patent Application

PO Box 1450

Alexandria VA 22313-1450

Sir:

Transmitted herewith for filing is the patent application of

Inventor(s) names and addresses:

- (1) Michael Seul
84 Pleasant Avenue
Fanwood New Jersey 07023

- (2) Sukanta Banerjee
4-1 Lincoln Place
North Brunswick New Jersey 08902

- (3) Kairali Podual
4-1 Lincoln Place
North Brunswick New Jersey 08902

Additional inventors are listed on a separate sheet

For: Analysis and Fractionation of Particles Near Surfaces

Enclosed Are:

page(s) of specification

page(s) of Abstract

page(s) of claims

sheets of Formal Informal drawings

2 page(s) of Declaration and Power of Attorney

Unsigned

Newly Executed

Copy from prior application

Deletion of inventors including Signed Statement under 37 C.F.R. §1.63(d)(2)

REQUEST AND CERTIFICATION UNDER 35 U.S.C. §122(b)(2)(B)(i) (form PTO/SB/35)

As indicated on the attached Request and Certification, Applicant(s) certify that the invention disclosed in the attached application HAS NOT and WILL NOT be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. Applicant(s) therefore request(s) that the attached application NOT be published under 35 U.S.C. §122(b).

- Incorporation by Reference:
- The entire disclosure of the prior application, from which a copy of the combined Declaration and Power of Attorney is supplied herein, is considered as being part of the disclosure of the accompanying application and is incorporated herein by reference.
- Deletion of Inventors (37 C.F.R. §1.63(d) and §1.33(b))
Signed statement attached deleting inventor(s) named in the prior application serial no. _____, filed _____.
- Microfiche Computer Program (Appendix)
 page(s) of Sequence Listing
 computer readable disk containing Sequence Listing
 Statement under 37 C.F.R. §1.821(f) that computer and paper copies of the Sequence Listing are the same
- Assignment Papers (assignment cover sheet and assignment documents)
 A check in the amount of \$40.00 for recording the Assignment
 Charge the Assignment Recordation Fee to Deposit Account No. , Order No. _____.
Assignment Papers filed in the parent application Serial No. 09/813,571, filed 3/21/2001.
- Certification of chain of title pursuant to 37 C.F.R. §3.73(b)
- Priority is claimed under 35 U.S.C. §119 for:
Application No(s). _____, filed _____, in _____ (country).
 Certified Copy of Priority Document(s) [_____]
 filed herewith
 filed in application Serial No. _____, filed _____.
- English translation document(s) [_____]
 filed herewith
 filed in application Serial No. _____, filed _____.
- Priority is claimed under 35 U.S.C. §119(e) for:
Provisional Application No. _____, filed _____.

x Information Disclosure Statement

Copy of [_____] cited references

x PTO Form-1449

References cited are submitted in parent application Serial No. 09/813,571, filed March 21, 2001.

x Related Case Statement under 37 C.F.R. §1.98(a)(2)(iii)

A copy of related pending U.S. Application(s) Serial No(s): _____, filed _____, respectively, is attached hereto.

A copy of related pending U.S. Application(s) entitled, _____, filed _____ to inventor(s) _____, respectively, is attached hereto.

A copy of each related application(s) was submitted in parent application serial no.

Preliminary Amendment

Return receipt postcard (MPEP 503)

This is a x continuation divisional continuation-in-part of prior application to which priority under 35 U.S.C. §120 is claimed.

Cancel in this application all original claims of the parent application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

A Preliminary Amendment is enclosed. (Claims added by this Amendment have been properly numbered consecutively beginning with the number following the highest numbered original claim in the prior application).

The status of the parent application is as follows:

A Petition for Extension of Time and a Fee therefor has been or is being filed in the parent application to extend the term for action in the parent application until _____.

A copy of the Petition for Extension of Time in the co-pending parent application is attached.

x No Petition for Extension of Time and Fee therefor are necessary in the co-pending parent application.

Please abandon the parent application at a time while the parent application is pending or at a time when the petition for extension of time in that application is granted and while this application is pending has been granted a filing date, so as to make this application co-pending.

Transfer the drawing(s) from the parent application to this application

x Amend the specification by inserting before the first line the sentence:

This is a 371 of PCT/US02/08706, filed March 21, 2002, which claims priority to US Serial No. 09/813,571, filed March 21, 2001.

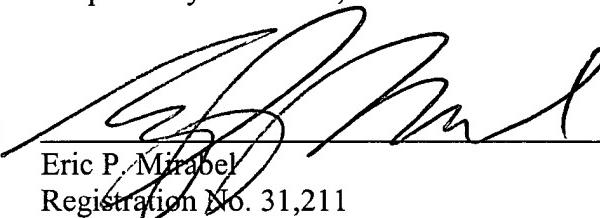
I. CALCULATION OF APPLICATION FEE				
	Number Filed	Number Extra	Rate	Basic Fee \$750.00/375.00
Total Claims	- 20 =	8x	/ \$9.00	\$
Independent Claims	- 3 =	x	\$84.00/ \$42.00	\$
<input type="checkbox"/> Multiple Dependent Claims		If marked, add fee of \$280.00 (\$140.00)		\$
				TOTAL: \$ 375.00

Applicants state that this application is entitled to small entity status and request that such status be accorded. Reduced fees under 37 C.F.R. §1.9 (f) paid herewith. A check in the amount of 0_ in payment of the application filing fees is attached.

The Commissioner is hereby authorized to charge the fees and any fee deficiency, or credit any overpayment, occurring at any time during the pendency of the application, or after a patent issues, to Deposit Account No. 502088.

I hereby certify that this transmittal and the referenced materials are being deposited with the United States Postal Service, Express Mail, under Rule 1.10 in an envelope addressed to:
Assistant Commissioner of Patents, Washington D.C. 20231, on the date indicated below.

Dated: 9/9/03

Respectfully submitted,

By: _____
Eric P. Mirabel
Registration No. 31,211

Correspondence Address::
Bioarray Solutions
35 Technology Drive
Warren New Jersey 07059
Telephone 908 226 8200 Ext 203
Facsimile: 908 226 0800